

PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
TWIN CITY WASTE DISPOSAL SERVICE

US EPA RECORDS CENTER REGION 5



557228

| DCN   | DATE     | AUTHOR                   | RECIPIENT            | TITLE                            | SUMMARY   | PRPS  |
|-------|----------|--------------------------|----------------------|----------------------------------|---|---|
| 00123 | 01/07/63 | WHIRLP                   | TWCWDS               | WHIRLP PURCHASE ORDER            | A WHIRLP DISPOSAL SERVICE CONTRACT WHICH STATES THE CONTRACT COVERS WASTE REMOVAL SERVICES FROM WHIRLP FROM 01/01/63 TO 12/31/63. THE DOCUMENT LISTS THE TYPE OF WASTES TO BE REMOVED FROM: INCINERATOR; BUILDING 30; BUILDING 17; AND THE MAPLEWOOD WAREHOUSE.   | WHIRLP, TWCWDS  |
| 00441 | 02/27/69 | KENT SCHONBERGER         | JOE CREA             |                                  | A MEMO REGARDING FURTHER INFORMATION RELATIVE TO CMSPRC REFUSE BEING DUMPED AT PIG'S EYE. THE DOCUMENT STATES CMSPRC WAS TOLD THAT HOLD UPS AND DELAYS FOR THEIR HAULERS WAS ADDRESSED AND COSTPA HAS NO OBJECTION TO THEM BRINGING IN SOME LUMBER. THE DOCUMENT STATES CMSPRC OFTEN HIRE A PRIVATE CONTRACTOR, POSSIBLY TWCWDS, AND REQUESTS THAT TWCWDS DOES NOT HAVE TO PAY AN ENTRANCE FEE FOR PIG'S EYE. | COSTPA, CMSPRC, TWCWDS  |
| 00442 | 02/28/69 | DONALD E. HYGAARD        | TO FILE              | DPWCSP INTEROFFICE COMMUNICATION | A FILE TO THE MEMO WHICH STATES CMSPRC COMPLAINED ABOUT THEIR WASTE NOT BEING ALLOWED AT PIG'S EYE AND THEIR HAULER TWCWDS BEING CHARGED TO DUMP AT PIG'S EYE, SINCE ITS CMSPRC'S LAND.   | CMSPRC, TWCWDS  |
| 00834 | 11/15/72 | DPWCSP, KENT SCHONBERGER | JIM SCHWARTZ, DPWCSP | DPWCSP MEMO                      | A MEMO WHICH STATES THE FOLLOWING REFUSE HAULING FIRMS HAVE NOT PAID THEIR BALANCES TO THE CITY FOR DUMPING AT THE LANDFILL AND LICENSES SHOULD NOT BE ISSUED TO THEM UNTIL THEY PAY: RAYAND, NOYES, SUBURB, RICHA, WALSH, FRAGRA, RUETHC,  | RAYAND, NOYES, SUBURB, RICHA, WALSH, FRAGRA, RUETHC, CROSST, TWCWDS, BEERMN, POORRI |

PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
TWIN CITY WASTE DISPOSAL SERVICE

| DCN   | DATE     | AUTHOR               | RECIPIENT | TITLE   | SUMMARY   | PRPS  |
|-------|----------|----------------------|-----------|---|---|---|
|       |          |                      |           |   | CROSST, JWCWDS, BEERMN, POORRI.   |   |
| 00976 | 12/31/75 |                      |           | LANDFILL ACCOUNT<br>RECEIVABLES AS OF<br>12/31/75         | A LANDFILL ACCOUNT RECEIVABLE AS OF<br>12/31/75 LIST. THE DOCUMENT LISTS<br>NAME OF HAULER; BILLING INVOICE<br>NUMBER; DATE; AND AMOUNT. THE NAMES<br>LISTED ARE: RAYAND, NOYES, SUBURB,<br>RICHAR, TWCWDS, WELSCH, FRAGRA,<br>RUETHC, CROSST, AND ADDYMM.                      | RAYAND, NOYES,<br>SUBURB, RICHAR,<br>TWCWDS, WELSCH,<br>FRAGRA, RUETHC,<br>CROSST, ADDYMM |
| 01817 | 01/09/91 | MPCA                 | TWCWDS    | MPCA INFORMATION<br>REQUEST LETTER<br>REGARDING PIG'S EYE | A MPCA INFORMATION REQUEST LETTER<br>WHICH REQUIRES TWCWDS TO PROVIDE<br>INFORMATION REGARDING PIG'S EYE AND<br>FISH HATCHERY'S DUMP.   | TWCWDS  |
| 01852 | 01/09/91 | MPCA                 | TWCWDS    | MPCA INFORMATION<br>REQUEST LETTER<br>REGARDING PIG'S EYE | A MPCA INFORMATION REQUEST LETTER<br>WHICH REQUIRES TWCWDS TO PROVIDE<br>INFORMATION REGARDING PIG'S EYE AND<br>FISH HATCHERY'S DUMP. THE DOCUMENT<br>ALSO INCLUDES A HANDWRITTEN RESPONSE<br>THAT STATES THEY HAVE NO KNOWLEDGE<br>OF HAZARDOUS WASTE DISPOSAL AT THE<br>SITE. | TWCWDS  |
| 01934 | 01/15/91 | PAT GERSDURF, TWCWDS | MPCA      | TWCWDS'S RESPONSE TO<br>INFORMATION REQUEST               | A LETTER WHICH STATES IN RESPONSE TO<br>MPCA'S 01/09/91 LETTER, TWCWDS WAS<br>NOT IN BUSINESS AT THAT TIME. THE<br>DOCUMENT ALSO STATES TWCWDS DOES NOT<br>USE LANDFILLS MENTIONED IN THE<br>01/09/91 LETTER.   | TWCWDS  |

PIG'S EYE LANDFILL  
RECORDS COMPILATIONS  
TWIN CITY WASTE DISPOSAL SERVICE

| DCN   | DATE     | AUTHOR                   | RECIPIENT                | TITLE                          | SUMMARY  | PRPS                      |
|-------|----------|--------------------------|--------------------------|--------------------------------|--|---------------------------|
| 02101 | 03/27/91 | CATHY O'CONNELL,<br>MPCA | TWCWDS                   | MPCA FOLLOWUP LETTER           | A FOLLOW-UP LETTER TO TWCWDS REQUESTING TWCWDS COMPLY WITH MINNESOTA ENVIRONMENTAL RESPONSE AND LIABILITY ACT AND RESPOND TO MPCA'S REQUEST FOR INFORMATION QUESTIONNAIRE CONCERNING PIG'S EYE.  | TWCWDS                    |
| 02387 | 07/27/73 | C.J. STOFKO, FORDMC      | JOHN C. LICHTER,<br>MPCA | FORDMC, MPCA<br>CORRESPONDENCE | A LETTER WHICH STATES WACOIN HAULS WASTE FOR FORDMC UNDER PERMIT NO. SW28, THE MATERIAL HAULED IS AS FOLLOWS: 58,000 GALLONS OF PAINT SLUDGE/YEAR; 1330-55 GALLON DRUMS OF WASTE GREASE, OILS, SOLVENTS PER YEAR. THE DOCUMENT ALSO INCLUDES A LETTER DATED 02/11/91 IN WHICH FORDMC REQUESTS DISCLOSURE INFORMATION FROM MPCA; A COPY OF MPCA'S REQUEST LETTER. THE RESPONSE STATES TO FORDMC'S KNOWLEDGE IT HAS NEVER DIRECTED WASTE TO PIG'S EYE; HOWEVER, THEIR CURRENT HAULER WACOIN WAS FORMERLY TWCWDS, AND A FORMER EMPLOYEE STATES PIG'S EYE MAY HAVE BEEN USED IN THE EARLY 60S. | FORDMC, WACOIN,<br>TWCWDS |

PURCHASE ORDER

00123

**Whirlpool CORPORATION**

NIGHT LETTER

ST. PAUL DIVISION

850 ARCADE STREET

ST. PAUL 6, MINNESOTA

Twin City Waste Disposal Service  
637 Pine Street  
St. Paul 1, Minnesota  
Atten: J. Polansky

OUR  
ORDER NO. **L 12798**

DATE **1-7-63** **lm**

DELIVER TO DEPT. **Plant Eng.**

**E. W. Hartung**

Place the above order number on all  
invoices, shipping notices, cases or  
packages covered by this purchase  
order.

SHIP TO

**Whirlpool Corp., St. Paul Division**

F.O.B.

**Pickup & Delivery**

TERMS

**net 30**

| ITEM NO. | QUANTITY | DESCRIPTION OF MATERIAL  | UNIT PRICE               |
|----------|----------|--|--------------------------|
|          |          | <p>This contract shall cover the trash &amp; Waste material removal services from Whirlpool Corp., for the period beginning Jan. 1, 1963 and ending December 31, 1963. Prices per call, minimum size containers, and locations as follows:</p> |                          |
| 1        |          | Incinerator (Main Plant)   | 5 cu. yd. \$5.00 per cal |
| 2        |          | Building 30  | 5 " 5.00 " "             |
| 3        |          | Building 17  | 7 " 5.00 " "             |
| 4        |          | Maplewood Warehouse  | 5 " 5.00 " "             |
|          |          | 12 cu. yd. boxes shall be available upon request   | \$ 12.00 " "             |
|          |          | 4 hours shall be required as maximum time between call & pick up of container ykk unless otherwise agreed.   |                          |
|          |          | Pick up tickets must be signed by Whirlpool at each pickup   |                          |
|          |          | Invoices to be submitted monthly.  |                          |

SHIP TO ARRIVE

AS REQUESTED

|                                   |               |                               |      |
|-----------------------------------|---------------|-------------------------------|------|
| REQUISITION NO.<br><b>TR 7943</b> | JOB ORDER NO. | ACCOUNT NO.<br><b>31-9243</b> | CODE |
|-----------------------------------|---------------|-------------------------------|------|

**NIGHT LETTERS**

Advise immediately complete shipping and tracing information on this material.

By \_\_\_\_\_  
WHIRLPOOL CORPORATION

TO: Joe Crea

FROM: Kent Schonberger

DATE: February 27, 1969

SUBJECT: Further information relative to Milwaukee Railroad refuse being dumped at Pig's Eye Landfill

Mr. Johnson from the Milwaukee Railroad called me on February 25, 1969, the same day that I received your memo with regard to the circumstances about which he was asking.

I told Mr. Johnson, as confirmed in your note, that we could see no reason for having hold ups or delays in connection with their trucks dumping at Pig's Eye and also that we would not have any objection to them bringing in some lumber, especially if this is being deposited in areas which the Milwaukee Railroad gave us for dump operations.

Insofar as bringing the location in at a gate or driveway off their property, Mr. Johnson feels this is not necessary inasmuch as they would come through the normal Pig's Eye access road. This way their own identified truck would be coming in and I'm sure other than for record keeping purposes, you would let it in then without any charge for such dumping on the earlier stated basis of about four loads per day.

Mr. Johnson also told me that they often hire a private contractor, possibly Twin City Waste Disposal, to haul some material from an area further down toward their dumping yards and that this amounts to about nine 17 yard compactor loads per month, or an average then of about one every second or third day. He told me that at the present time the firm hauling this apparently is paying the entrance fee and in turn the Railroad is being billed this amount and he asked whether or not an arrangement could be made for the Railroad to be rebated that money. I explained that any type of rebate would be an almost impossible thing once the money was within the City financial umbrella, but that if we had some completely clear and positive means of identifying who was bringing the material and that only those loads which came from the Milwaukee Railroad would be allowed in, arrangements could likely be made between you, Mr. Johnson and the firm doing the hauling for a positive means of identification, perhaps by some special tickets, signed slips or the like, we would allow the private firm trucks hauling from the Milwaukee Yard properties only to come into Pig's Eye also via the normal roadways and gate at no charge. Mr. Johnson will look further into this matter and be in further contact with you or me. This for your information.

K.S.

KS:ma  
DEN

THE DEPARTMENT OF PUBLIC WORKS  
OF THE  
CITY OF ST. PAUL

I-8

## INTER-OFFICE COMMUNICATION

February 28, 1969

FILE MEMORANDUMRE: MILWAUKEE RAILROAD'S REFUSE AT PIG'S EYE LANDFILL

DEN spoke with Mr. Roy Johnson from the Milwaukee Railroad on Friday morning, February 28, 1969 concerning the Milwaukee Railroad's dumping at the Pig's Eye Landfill.

Mr. Johnson stated that their truck had gone to the Pig's Eye this morning and that the attendants would not allow them into the Landfill. This was a misunderstanding on our part in that Kent's memo had not yet arrived at the Landfill. I discussed the memo with Vern Tester and even though the Milwaukee Railroad is hauling some wood and timbers, etc., the Milwaukee people feel that they have a right to dump this at Pig's Eye. Rather than make a big issue over this, I told Vern Tester to allow them to go ahead and dump at the Pig's Eye. (I would appreciate it if Joe Crea at his convenience would get ahold of Mr. Johnson and probably work out some better understanding on this.)

Mr. Johnson also made a point of the fact the Twin City Waste Disposal hauls some for the railroad, possibly 8 or 9 loads a year, and he feels that we should not charge for this stuff that is coming from the railroad. I told him that if they could put one of the Milwaukee Road's stickers on that particular truck so that our people could identify it, that we would then admit it free to the Pig's Eye Landfill. I talked to Vern Tester about this also and our people will go ahead on this basis. month (

I could tell in talking to Mr. Johnson that they are getting a little bit upset about this since it is their land, etc., and rather than make a big issue out of these things, I think it's best that we try to cooperate even though we have to do some things that don't conform exactly to our policy.

This is for file purposes.

DEN

DONALD E. NYGAARD  
CIVIL ENGINEER III  
MAINTENANCE SERVICES DEPARTMENT

DEN:em

cc: Joseph Crea

THE DEPARTMENT OF PUBLIC WORKS  
OF THE  
CITY OF ST. PAUL

INTER-OFFICE COMMUNICATION

TO: Kent Schonberger

FROM: Jim Schwartz

DATE: November 15, 1972

SUBJECT: Unpaid Landfill Bills

File

The following refuse hauling firms have not paid all they owe to the City for dumping at the landfill:

Ray Anderson  
Noyes Construction Co.  
Suburban  
Richard Schroeder  
Twin City Rubbish  
Walsh Tree Service  
Fragrant Trucking  
Beermann Service  
Poor Richard  
Rueth Contracting  
Cross Town

Licenses should not be issued to these firms until they have paid, as per conversation with the Corporation Counsel's Office. Some of these firms change names frequently so a check of new names should be made.

JFS/jg

cc: Joe Crea

note

LANDFILL  
ACCOUNT RECEIVABLE  
As of December 31, 1975

|                         | <u>Billing<br/>Invoice</u> | <u>Date</u> | <u>Amount</u> |
|-------------------------|----------------------------|-------------|---------------|
| Ray Anderson            | 1716                       | 10/1/67     | \$ 197.75     |
|                         | 1823                       | 11/1/67     | 236.25        |
|                         | 1932                       | 12/1/68     | 34.00         |
|                         | 1340                       | 1/1/70      | 28.50         |
| D. Noyes Construct. Co. | 1529                       | 4/1/70      | 7.50          |
|                         | 1652                       | 5/1/70      | 90.00         |
|                         | 1777                       | 6/1/70      | 46.50         |
|                         | 1897                       | 7/1/70      | 6.00          |
| Suburban                | 10227                      | 2/1/68      | 7.50          |
|                         | 10335                      | 3/1/68      | 7.00          |
|                         | 10443                      | 4/1/68      | 8.75          |
|                         | 10559                      | 5/1/68      | 15.50         |
| Richard Schroeder       | 4092                       | 12/1/68     | 13.25         |
| Twin City Rubbish       | 3963                       | 9/1/71      | 64.00         |
|                         | 3805                       | 8/1/71      | 83.20         |
|                         | 3656                       | 7/1/71      | 57.60         |
|                         | 3515                       | 6/1/71      | 79.20         |
| Walsh Tire Service      | 3661                       | 7/1/71      | 436.00        |
|                         | 3521                       | 6/1/71      | 210.00        |
|                         | 3370                       | 6/1/71      | 794.50        |
| Fragrant Trucking       | 4154                       | 11/1/71     | 73.40         |
|                         | 4273                       | 12/1/72     | 74.00         |
| Rueth Contracting       | 4995                       | 5/1/72      | 351.60        |
|                         | 5114                       | 6/1/72      | 174.40        |
| Crosstown               | 5046                       | 6/1/72      | 25.60         |
| Addyman                 | 5026                       |             | 200.00        |

ACCOUNTS RECEIVABLE December 31, 1974 Balance 3,322.00





# Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155-3898

Telephone (612) 296-6300



CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

January 9, 1991

Twin City Refuse & Recycling Trans Station  
318 West Water  
St. Paul, Minnesota 55107

Dear Sir/Madam:

RE: Requirement To Provide Information  
Pig's Eye Dump/Fish Hatcheries Dump

Ground Water & Solid Waste Division  
Site Response Section

File Name

Sub File Name

Initial

The Minnesota Pollution Control Agency (MPCA) staff has identified a release or threatened release of hazardous substances or pollutants or contaminants at the Pig's Eye Dump/Fish Hatcheries Dump, located in Ramsey County, Minnesota. The MPCA staff is in the process of identifying persons who may be responsible for this release or threatened release.

The MPCA staff has reason to believe that Twin City Refuse & Recycling Trans Station may have information which is relevant to the release or threatened release from the Pig's Eye Dump/Fish Hatcheries Dump. To facilitate the agency's investigation, the MPCA staff is sending you the enclosed Requirement To Provide Information. As the recipient of this Requirement To Provide Information, you have the legal duty under state law to provide information requested by the MPCA which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants. Information obtained in response to the Requirement To Provide Information will be used by MPCA staff in carrying out their responsibilities, including the identification of responsible persons for the release or threatened release. This is a first Questionnaire; in the future it may be necessary to supplement the information available to MPCA with additional Questionnaires.

Since obtaining this information is an important initial step in the process, your response to the enclosed Questionnaire needs to be submitted within thirty (30) days from the date of the Requirement To Provide Information. The information in your response is vital and will allow us to protect the public health and the environment. Therefore, failure to provide timely, complete and accurate answers to the Questionnaire may result in legal actions by the state of Minnesota to compel disclosure.

Attachment 1 contains instructions for completing the Questionnaire. A list of definitions of words used in the Questionnaire may be found in Attachment 2. Please review both attachments prior to answering the Questionnaire.

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Twin City Refuse & Recycling Trans Station

Page 2

January 9, 1991

The completed Questionnaire and any relevant documents should be mailed to the following address:

Cathy O'Connell, Project Manager  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155

Should you have any questions regarding this letter and the enclosed Requirement To Provide Information and Questionnaire, please contact me at (612) 296-7782 .

Sincerely,



Cathy O'Connell  
Project Manager  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division

CO:klm

Enclosures

Questionnaire for Pig's Eye Dump/Fish Hatcheries Dump  
and  
Request for Production of Documents

1. Identify the full legal name, address and phone number of the business.
2. How many years has the business been in operation?
3. Identify the names and current addresses and telephone numbers of all current and past owner(s) of the business.
4. Identify all permits issued by federal, state, county, city or other governmental authorities which the business holds and the effective dates for such permits.
5. Did you haul garbage from businesses or industries to Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972?
6. Did you haul hazardous waste to Pig's Eye Dump/Fish Hatcheries Dump? Include a list of (a) the name and address of all companies and/or individuals the business transported hazardous waste for (b) the type of hazardous waste if known; (c) how the waste was transported; (d) quantity disposed per load; (e) the time period of transportation and disposal of the hazardous waste.
7. How was the garbage and/or hazardous waste picked up from businesses and industries stored (for example, in drums, barrels, dumpsters) for pick up?
8. Did the business ever pick up open or sealed, 55 gallon drums with unidentified contents? If so, please identify the companies and/or individuals names and addresses the drums were picked up from.
9. Identify a list of all business and industrial customers whose garbage and/or hazardous waste you hauled to Pig's Eye Dump/Fish Hatcheries Dump?
10. Identify all persons whom the business consulted in the preparation of the response to the Questionnaire, including their current addresses and telephone numbers and relationship to the business.
11. Identify any other persons who may be able to provide a more detailed or complete response to the Questionnaire or who may be able to provide additional relevant documents.
12. Identify the insurance carrier held by you or the business during the time period you or the business hauled garbage and/or hazardous waste to Pig's Eye Dump/Fish Hatcheries Dump. Provide the name and address of each insurer and of the insured, amount of coverage under each policy, commencement and expiration data, existence of a "pollution exclusion" clause, and coverage of sudden or nonsudden types of accidents. (In lieu of providing this information, you may submit complete copies of all relevant insurance policies.)

Attachment 1  
Instructions for Questionnaire

1. Enclose with your response to the Questionnaire a notarized affidavit from you or an authorized official representing your business attesting to the fact (a) that a diligent search for records relevant to this Questionnaire has been completed and (b) that a diligent interview process has been conducted with present and former employees who may have knowledge of waste generation or other waste management practices at Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972. Any information that you provide in response to the Questionnaire that is based on your personal knowledge, or the personal knowledge of your employees, agents, or other representatives must be submitted in the form of a notarized affidavit.
2. Review the list of definitions in Attachment 2.
3. Make a separate written response to each question. Do not leave any blank questions.
4. Number each of your answers according to the corresponding numbered question. For each document produced in response to the Requirement to Provide Information, identify the number of the question to which it responds on the document or in some other reasonable manner.
5. In answering each question, identify all sources of information consulted in preparing the response.
6. You are required to respond to each question on the basis of any and all information and documents in your possession, custody, or control or the possession, custody, or control of your current or former employees, agents, or contractors, or other person who conducted business on your behalf. Furnish information that is available to you regardless of whether it is based on personal knowledge, and regardless of source.
7. Information necessary to adequately respond to a question may not be known or available on the date your response is submitted. If this is the case, you have a continuing duty to provide the information when it becomes known or available.
8. Respond in writing to each question even if information on which your answer is based has not been recorded in any particular document.
9. If any requested documents have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify (a) each document; (b) the person to whom it was transferred; and (c) the date of the transfer or disposal.
10. You have a duty to provide the requested information even if the information may be considered confidential or a trade secret. If you provide any information that relates to sales figures, processes or methods of production unique to your business, or information that would tend to affect adversely the competitive position of your business if generally known, you may certify this claim at the time you submit your response and the

information so certified will be held nonpublic as provided in Minnesota Statutes, Section 115B.17, subdivision 5 (1990). Any such certification must specifically identify the information that you believe qualifies for nonpublic treatment. If no such certification accompanies the information when it is received by the MPCA, it may be made available to the public by the MPCA without further notice to you.

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Attachment 2  
Definitions for Questionnaire

For the purpose of your answers to the Questionnaire, the following definitions shall apply:

1. TWIN CITY REFUSE & RECYCLING TRANS STATION. "Twin City Refuse & Recycling Trans Station" includes any agent, subcontractor, or any other person who conducted or did business on behalf of "Twin City Refuse & Recycling Tans Station."

2. PIG'S EYE DUMP/FISH HATCHERIES DUMP. "Pig's Eye Dump/Fish Hatcheries Dump" means the property located 1/2 mile southeast of the intersection of Warner Road and Childs Road (an old report lists the address as 1150 Pig's Eye Lake Road), [Ramsey County, Section 10, T28N, R22W] and the property located at the intersection of Warner Road and Childs Road (an old report simply gives the address as Warner Road) [Ramsey County, Section 3, T28N, R22W], St. Paul, Minnesota.

3. YOU; BUSINESS. The terms "you" and "business," means the addressee of the Requirement to Provide Information.

4. DOCUMENT. "Document" means information preserved in any manner which is in the possession of or may be reasonably obtained by the addressee, including information in the possession of the addressee's directors, officers, shareholders, partners, managers, employees, subcontractors, trustees, successors, assigns, and agents, regardless of the location of the document or its classification as privileged or confidential. The term "document" includes but is not limited to the following: correspondence, contracts, agreements, memoranda, telegrams, reports, assignments, personnel records, record books, manifests, logs, scrap-books, diaries, minutes, plans, drawings, photographs, tapes, computer discs, invoices, checks, surveys and analyses.

5. IDENTIFY/Individual. The term "identify" means, with respect to an "individual," to set forth the person's full name, present or last known address, name of the employer, and a description of the job responsibilities of the person.

6. IDENTIFY/Business. The term "identify" means, with respect to a corporation, sole proprietorship, partnership, or other association or business entity, to set forth its full name, address, legal form (for example, corporation, partnership, etc.), and a brief description of the product or service offered by the business.

7. IDENTIFY/Document. The term "identify" means, with respect to a document to provide its customary business description, its date, its number if any (for example, invoice or purchase order number) as well as its author, addresser, addressee and/or recipient, and the substance or the subject matter.

8. PERSON. "Person," as defined in Minnesota Statutes, Section 115B.02, subdivision 12 (1990) means any individual, partnership, association, public or private corporation or other entity, including the United States government, any interstate body, the state and any agency, department or political subdivision of the state.

9. FACILITY. "Facility," as defined in Minnesota Statutes, Section 115b.02, subdivision 5 (1990) means:

(a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft;

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(b) Any watercraft of any description, or other artificial contrivance used or capable of being used as a means of transportation on water; or

(c) Any site or area where a hazardous substance, or a pollutant or contaminant, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

"Facility" does not include any consumer product in consumer use.

10. HAZARDOUS SUBSTANCE. "Hazardous substance," as defined in Minnesota Statutes, Section 115B.02, subd. 8 (1990), means:

(a) Any commercial chemical designated pursuant to the Federal Water Pollution Control Act, under United States Code, title 33, section 1321 (b) (2) (A);

(b) Any hazardous air pollutant listed pursuant to the Clean Air Act, under United States Code, title 42, section 7412, and

(c) Any hazardous waste.

"Hazardous substance" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas, nor does it include petroleum, including crude oil or any fraction thereof which is not otherwise a hazardous waste.

11. HAZARDOUS WASTE. "hazardous waste," as defined in Minnesota Statutes, Section 115B.02, subdivision 9 (1990) means:

(a) Any hazardous waste as defined in section 116.06, subd. 13, and any substance identified as a hazardous waste pursuant to rules adopted by the agency under section 116.07; and



(b) Any hazardous waste as defined in the resource Conservation and Recovery Act, under United States Code, title 42, section 6903, which is listed or has the characteristics identified under United States Code, title 42, section 6921, not including any hazardous waste, the regulation of which has been suspended by Act of Congress.

12. POLLUTANT OR CONTAMINANT. "Pollutant or contaminant," as defined in Minnesota Statutes, Section 115B.02, subdivision 13 (1990) means any element, substance, compound, mixture, or agent, other than a hazardous substance, which after release from a facility and upon exposure of, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in the organisms or their offspring.

"Pollutant or contaminant" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas.

13. SOLID WASTE. "Solid waste," as defined in Minnesota Rules, Part 7035.0300, subpart 100 (1990) means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solid or

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dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste, water effluents or discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

14. RELEASE. "Release," as defined in Minnesota Statutes, Section 115B.02, subdivision 15 (1990) means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment which occurred at a point in time or which continues to occur.

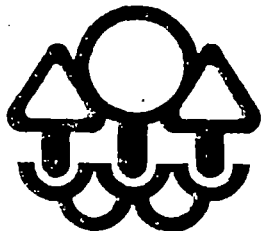
"Release" does not include:

(a) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft, or pipeline pumping station engine;

(b) Release of source, by-product, or special nuclear material from a nuclear incident, as those terms are defined in The Atomic Energy Act of 1954, under United States Code, title 42, section 2014, if the release is subject to requirements with respect to financial protection established by the federal nuclear regulatory commission under United States Code, title 42, section 2210.

(c) Release of source, by-product or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailings Radiation Control Act of 1978, under United States Code, title 42, section 7912(a) or 7942(a); or

(d) Any release resulting from the application of fertilizer or agricultural or silvicultural chemicals, or disposal of emptied pesticide containers or residues from a pesticide as defined in section 18A.21, subd. 25.



# Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155

Telephone (612) 296-6300



CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

January 9, 1991

Twin City Sanitation  
P.O. Box 12174  
St. Paul, Minnesota 55112

Dear Sir/Madam:

RE: Requirement To Provide Information  
Pig's Eye Dump/Fish Hatcheries Dump

|  |       |
|--|-------|
| Ground Water & Solid Waste Division<br>Site Response Section |       |
| File Name  | _____ |
| Sub File Name  | _____ |
| Initial  | _____ |

The Minnesota Pollution Control Agency (MPCA) staff has identified a release or threatened release of hazardous substances or pollutants or contaminants at the Pig's Eye Dump/Fish Hatcheries Dump, located in Ramsey County, Minnesota. The MPCA staff is in the process of identifying persons who may be responsible for this release or threatened release.

The MPCA staff has reason to believe that Twin City Sanitation may have information which is relevant to the release or threatened release from the Pig's Eye Dump/Fish Hatcheries Dump. To facilitate the agency's investigation, the MPCA staff is sending you the enclosed Requirement To Provide Information. As the recipient of this Requirement To Provide Information, you have the legal duty under state law to provide information requested by the MPCA which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants. Information obtained in response to the Requirement To Provide Information will be used by MPCA staff in carrying out their responsibilities, including the identification of responsible persons for the release or threatened release. This is a first Questionnaire; in the future it may be necessary to supplement the information available to MPCA with additional Questionnaires.

Since obtaining this information is an important initial step in the process, your response to the enclosed Questionnaire needs to be submitted within thirty (30) days from the date of the Requirement To Provide Information. The information in your response is vital and will allow us to protect the public health and the environment. Therefore, failure to provide timely, complete and accurate answers to the Questionnaire may result in legal actions by the state of Minnesota to compel disclosure.

Attachment 1 contains instructions for completing the Questionnaire. A list of definitions of words used in the Questionnaire may be found in Attachment 2. Please review both attachments prior to answering the Questionnaire.

Twin City Sanitation

Page 2

January 9, 1991

The completed Questionnaire and any relevant documents should be mailed to the following address:

Cathy O'Connell, Project Manager  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155

Should you have any questions regarding this letter and the enclosed Requirement To Provide Information and Questionnaire, please contact me at (612) 296-7782 .

Sincerely,



Cathy O'Connell  
Project Manager  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division

CO:kkn

Enclosures

Questionnaire for Pig's Eye Dump/Fish Hatcheries Dump  
and  
Request for Production of Documents

1. Identify the full legal name, address and phone number of the business.
2. How many years has the business been in operation?
3. Identify the names and current addresses and telephone numbers of all current and past owner(s) of the business.
4. Identify all permits issued by federal, state, county, city or other governmental authorities which the business holds and the effective dates for such permits.
5. Did you haul garbage from businesses or industries to Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972?
6. Did you haul hazardous waste to Pig's Eye Dump/Fish Hatcheries Dump? Include a list of (a) the name and address of all companies and/or individuals the business transported hazardous waste for (b) the type of hazardous waste if known; (c) how the waste was transported; (d) quantity disposed per load; (e) the time period of transportation and disposal of the hazardous waste.
7. How was the garbage and/or hazardous waste picked up from businesses and industries stored (for example, in drums, barrels, dumpsters) for pick up?
8. Did the business ever pick up open or sealed, 55 gallon drums with unidentified contents? If so, please identify the companies and/or individuals names and addresses the drums were picked up from.
9. Identify a list of all business and industrial customers whose garbage and/or hazardous waste you hauled to Pig's Eye Dump/Fish Hatcheries Dump?
10. Identify all persons whom the business consulted in the preparation of the response to the Questionnaire, including their current addresses and telephone numbers and relationship to the business.
11. Identify any other persons who may be able to provide a more detailed or complete response to the Questionnaire or who may be able to provide additional relevant documents.
12. Identify the insurance carrier held by you or the business during the time period you or the business hauled garbage and/or hazardous waste to Pig's Eye Dump/Fish Hatcheries Dump. Provide the name and address of each insurer and of the insured, amount of coverage under each policy, commencement and expiration data, existence of a "pollution exclusion" clause, and coverage of sudden or nonsudden types of accidents. (In lieu of providing this information, you may submit complete copies of all relevant insurance policies.)

Attachment 1  
Instructions for Questionnaire

1. Enclose with your response to the Questionnaire a notarized affidavit from you or an authorized official representing your business attesting to the fact (a) that a diligent search for records relevant to this Questionnaire has been completed and (b) that a diligent interview process has been conducted with present and former employees who may have knowledge of waste generation or other waste management practices at Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972. Any information that you provide in response to the Questionnaire that is based on your personal knowledge, or the personal knowledge of your employees, agents, or other representatives must be submitted in the form of a notarized affidavit.
2. Review the list of definitions in Attachment 2.
3. Make a separate written response to each question. Do not leave any blank questions.
4. Number each of your answers according to the corresponding numbered question. For each document produced in response to the Requirement to Provide Information, identify the number of the question to which it responds on the document or in some other reasonable manner.
5. In answering each question, identify all sources of information consulted in preparing the response.
6. You are required to respond to each question on the basis of any and all information and documents in your possession, custody, or control or the possession, custody, or control of your current or former employees, agents, or contractors, or other person who conducted business on your behalf. Furnish information that is available to you regardless of whether it is based on personal knowledge, and regardless of source.
7. Information necessary to adequately respond to a question may not be known or available on the date your response is submitted. If this is the case, you have a continuing duty to provide the information when it becomes known or available.
8. Respond in writing to each question even if information on which your answer is based has not been recorded in any particular document.
9. If any requested documents have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify (a) each document; (b) the person to whom it was transferred; and (c) the date of the transfer or disposal.
10. You have a duty to provide the requested information even if the information may be considered confidential or a trade secret. If you provide any information that relates to sales figures, processes or methods of production unique to your business, or information that would tend to affect adversely the competitive position of your business if generally known, you may certify this claim at the time you submit your response and the

information so certified will be held nonpublic as provided in Minnesota Statutes, Section 115B.17, subdivision 5 (1990). Any such certification must specifically identify the information that you believe qualifies for nonpublic treatment. If no such certification accompanies the information when it is received by the MPCA, it may be made available to the public by the MPCA without further notice to you.

Attachment 2  
Definitions for Questionnaire

For the purpose of your answers to the Questionnaire, the following definitions shall apply:

1. TWIN CITY SANITATION. "Twin City Sanitation" includes any agent, subcontractor, or any other person who conducted or did business on behalf of "Twin City Sanitation."
2. PIG'S EYE DUMP/FISH HATCHERIES DUMP. "Pig's Eye Dump/Fish Hatcheries Dump" means the property located 1/2 mile southeast of the intersection of Warner Road and Childs Road (an old report lists the address as 1150 Pig's Eye Lake Road), [Ramsey County, Section 10, T28N, R22W] and the property located at the intersection of Warner Road and Childs Road (an old report simply gives the address as Warner Road) [Ramsey County, Section 3, T28N, R22W], St. Paul, Minnesota.
3. YOU; BUSINESS. The terms "you" and "business," means the addressee of the Requirement to Provide Information.
4. DOCUMENT. "Document" means information preserved in any manner which is in the possession of or may be reasonably obtained by the addressee, including information in the possession of the addressee's directors, officers, shareholders, partners, managers, employees, subcontractors, trustees, successors, assigns, and agents, regardless of the location of the document or its classification as privileged or confidential. The term "document" includes but is not limited to the following: correspondence, contracts, agreements, memoranda, telegrams, reports, assignments, personnel records, record books, manifests, logs, scrap-books, diaries, minutes, plans, drawings, photographs, tapes, computer discs, invoices, checks, surveys and analyses.



5. IDENTIFY/Individual. The term "identify" means, with respect to an "individual," to set forth the person's full name, present or last known address, name of the employer, and a description of the job responsibilities of the person.

6. IDENTIFY/Business. The term "identify" means, with respect to a corporation, sole proprietorship, partnership, or other association or business entity, to set forth its full name, address, legal form (for example, corporation, partnership, etc.), and a brief description of the product or service offered by the business.

7. IDENTIFY/Document. The term "identify" means, with respect to a document to provide its customary business description, its date, its number if any (for example, invoice or purchase order number) as well as its author, addresser, addressee and/or recipient, and the substance or the subject matter.

8. PERSON. "Person," as defined in Minnesota Statutes, Section 115B.02, subdivision 12 (1990) means any individual, partnership, association, public or private corporation or other entity, including the United States government, any interstate body, the state and any agency, department or political subdivision of the state.

9. FACILITY. "Facility," as defined in Minnesota Statutes, Section 115b.02, subdivision 5 (1990) means:

(a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch, landfill, storage container, motor vehicle, rolling stock, or aircraft;

-3-

(b) Any watercraft of any description, or other artificial contrivance used or capable of being used as a means of transportation on water; or

(c) Any site or area where a hazardous substance, or a pollutant or contaminant, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

"Facility" does not include any consumer product in consumer use.

10. HAZARDOUS SUBSTANCE. "Hazardous substance," as defined in Minnesota Statutes, Section 115B.02, subd. 8 (1990), means:

(a) Any commercial chemical designated pursuant to the Federal Water Pollution Control Act, under United States Code, title 33, section 1321 (b) (2) (A);

(b) Any hazardous air pollutant listed pursuant to the Clean Air Act, under United States Code, title 42, section 7412, and

(c) Any hazardous waste.

"Hazardous substance" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas, nor does it include petroleum, including crude oil or any fraction thereof which is not otherwise a hazardous waste.

11. HAZARDOUS WASTE. "hazardous waste," as defined in Minnesota Statutes, Section 115B.02, subdivision 9 (1990) means:

(a) Any hazardous waste as defined in section 116.06, subd. 13, and any substance identified as a hazardous waste pursuant to rules adopted by the agency under section 116.07; and

(b) Any hazardous waste as defined in the resource Conservation and Recovery Act, under United States Code, title 42, section 6903, which is listed or has the characteristics identified under United States Code, title 42, section 6921, not including any hazardous waste, the regulation of which has been suspended by Act of Congress.

12. POLLUTANT OR CONTAMINANT. "Pollutant or contaminant," as defined in Minnesota Statutes, Section 115B.02, subdivision 13 (1990) means any element, substance, compound, mixture, or agent, other than a hazardous substance, which after release from a facility and upon exposure of, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in the organisms or their offspring.

"Pollutant or contaminant" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas.

13. SOLID WASTE. "Solid waste," as defined in Minnesota Rules, Part 7035.0300, subpart 100 (1990) means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solid or

-5-

dissolved material in domestic sewage or other common pollutants in water resources, such as silt, dissolved or suspended solids in industrial waste, water effluents or discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

14. RELEASE. "Release," as defined in Minnesota Statutes, Section 115B.02, subdivision 15 (1990) means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment which occurred at a point in time or which continues to occur.

"Release" does not include:

(a) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft, or pipeline pumping station engine;

(b) Release of source, by-product, or special nuclear material from a nuclear incident, as those terms are defined in The Atomic Energy Act of 1954, under United States Code, title 42, section 2014, if the release is subject to requirements with respect to financial protection established by the federal nuclear regulatory commission under United States Code, title 42, section 2210.

(c) Release of source, by-product or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailings Radiation Control Act of 1978, under United States Code, title 42, section 7912(a) or 7942(a); or

(d) Any release resulting from the application of fertilizer or agricultural or silvicultural chemicals, or disposal of emptied pesticide containers or residues from a pesticide as defined in section 18A.21, subd. 25.

Questionnaire for Pig's Eye Dump/Fish Hatcheries Dump  
and  
Request for Production of Documents

1. Identify the full legal name, address and phone number of the business.  
*Twin City Refuse & Recycling Transfer Station*
2. How many years has the business been in operation?  
*18 yrs*
3. Identify the names and current addresses and telephone numbers of all current and past owner(s) of the business.  
*Joe Karas 708 S Robert 224-2713 - George Gobash 1312 Dodd Rd (457-2377)*
4. Identify all permits issued by federal, state, county, city or other governmental authorities which the business holds and the effective dates for such permits. *MPCA Ramsey County PSW-107 74-91 Ramsey County public health current*
5. Did you haul garbage from businesses or industries to Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972? *NO we were not in business at that period. business start 73-current*
6. Did you haul hazardous waste to Pig's Eye Dump/Fish Hatcheries Dump? Include a list of (a) the name and address of all companies and/or individuals the business transported hazardous waste for (b) the type of hazardous waste if known; (c) how the waste was transported; (d) quantity disposed per load; (e) the time period of transportation and disposal of the hazardous waste. *NO.*
7. How was the garbage and/or hazardous waste picked up from businesses and industries stored (for example, in drums, barrels, dumpsters) for pick up? *N/A*
8. Did the business ever pick up open or sealed, 55 gallon drums with unidentified contents? If so, please identify the companies and/or individuals names and addresses the drums were picked up from. *N/A*
9. Identify a list of all business and industrial customers whose garbage and/or hazardous waste you hauled to Pig's Eye Dump/Fish Hatcheries Dump? *N/A*
10. Identify all persons whom the business consulted in the preparation of the response to the Questionnaire, including their current addresses and telephone numbers and relationship to the business. *N/A*
11. Identify any other persons who may be able to provide a more detailed or complete response to the Questionnaire or who may be able to provide additional relevant documents. *N/A*
12. Identify the insurance carrier held by you or the business during the time period you or the business hauled garbage and/or hazardous waste to Pig's Eye Dump/Fish Hatcheries Dump. Provide the name and address of each insurer and of the insured, amount of coverage under each policy, commencement and expiration data, existence of a "pollution exclusion" clause, and coverage of sudden or nonsudden types of accidents. (In lieu of providing this information, you may submit complete copies of all relevant insurance policies.) *N/A*

*Greg Gabel*



318 W. WATER ST.  
ST. PAUL, MINNESOTA 55107

PHONE  
227-1549

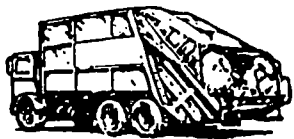
Mn. Pollution Control Agency  
520 Lafayette Rds  
St. Paul, Mn.  
Attn Cathy Oconnell

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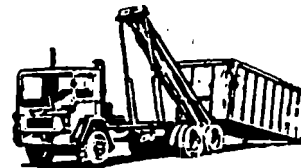
# STATEMENT

[illegible]

CURRENT BALANCE  
PLEASE PAY THIS AMOUNT \_\_\_\_\_



**Twin City Sanitation , INC.**  
 P. O. Box 12174  
 St. Paul, Minnesota 55127 55112  
 (612) 483-1221



RESIDENTIAL - COMMERCIAL - INDUSTRIAL - CONSTRUCTION

RECEIVED

January 15, 1991

JAN 18 91

MPCA, Ground Water  
 Minnesota Pollution Control Agency & Solid Waste Div.  
 520 Lafayette Road  
 St. Paul, Mn 55155

*Miller-Hoyt*  
*62004*

To Whom This May Concern:

As per your letter dated January 9, 1991, Twin City Sanitation, Inc was not in business at that time.

And regarding the landfills mentioned in that letter, we do not use such landfills.

If you have any questions, please call me at 483-1221.

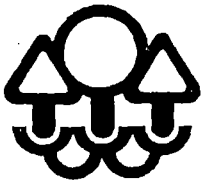
Thank You,

Pat Gersdorf  
 VP/OWNER

RECEIVED

JAN 17 1991

MPCA, HAZARDOUS  
 WASTE DIVISION



# Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155-3898

Telephone (612) 296-6300

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

March 27, 1991

Twin City Refuse & Recycling Trans Station  
318 West Water  
St. Paul, Minnesota 55107

Dear Sir/Madam:

RE: Requirement To Provide Information  
Pig's Eye Dump/Fish Hatcheries Dump

On January 9, 1991, I wrote to you concerning the past disposal of wastes by Twin City Refuse & Recycling Trans Station at The Pig's Eye Dump/Fish Hatcheries Dump. My letter was received on January 10, 1991, by an employee of your office. To date, no response has been received from Twin City Refuse & Recycling Trans Station nor have any time extensions been requested or granted. As indicated in the Requirement to Provide Information pursuant to the Minnesota Environmental Response and Liability Act (MERLA) transmitted to you with my letter, Minnesota Statutes, Section 115B.17, Section 3 (1988) provides that:

Any person who the agency has reason to believe is responsible for a release or threatened release as provided in section 115B.03, or who is the owner of real property where the release or threatened release is located or where response actions are proposed to be taken, when requested by the agency, or any member, employee or agent thereof who is authorized by the agency, shall furnish to the agency any information which that person may have or may reasonably obtain which is relevant to the release or threatened release.

Please comply with the statutory requirements of MERLA. A full and complete response to the Requirement to Provide Information discussed above is requested within 30 calendar days of your receipt of this letter. If you have any questions regarding this letter or the Requirement to Provide Information and Questionnaire, please contact Cynthia Gaertner at (612) 296-2946, or myself at (612) 296-7227.

Sincerely,

*Cathy O'Connell*

Cathy O'Connell  
Project Manager  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division

CO:kkn

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| Ground Water & Solid Waste Division<br>Site Response Section |       |
| File Name  | _____ |
| Sub File Name  | _____ |
| Initial  | _____ |



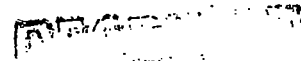
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ST. Paul

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JUL 30 1973

MINN. POLLUTION  
CONTROL AGENCY

Automotive Assembly Division  
Ford Motor Company

Twin Cities Assembly Plant  
966 South Mississippi River Blvd.  
St. Paul, Minnesota 55116

July 27, 1973

Mr. John C. Lichter, Engineer  
Section of Enforcement  
Division of Solid Waste

Subject: Disposal of Paint Sludge and Solvents

Dear Sir:

In answer to your memo of July 12, 1973, we advise as follows:

We are not aware of any instance whereby we are disposing of industrial process wastes improperly. All such materials are collected and hauled away by our contractor, Waste Control, Incorporated, who operates under Permit #SW28, issued by Division of Solid Waste, Minnesota Pollution Control Agency.

The issuance of such a permit is conditioned upon his being an approved contractor, hauling to an approved land fill dump site.

The quantity of materials being disposed of in this manner are as follows:

- Approximately 58,000 gallons/year of paint sludge - hauled in a 500 gallon tank truck.
- 1330 - 55 gallon drums/year - of waste, grease, oils, solvents, etc. collected from various plant operations.

We trust this will provide you with the necessary information.

Very truly yours,

C. J. Stofko  
Plant Manager

/smd



Office of the General Counsel

Ford Motor Company  
Parklane Towers West, Suite 401  
One Parklane Boulevard  
Dearborn, Michigan 48126

February 11, 1991

Art Dunn  
Chief of Solid Waste Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155

Subject: Pig's Eye Dump/ Fish Hatcheries Dump  
Ramsey County, Minnesota

Dear Mr. Dunn,

Pursuant to Minnesota Statute §13.03 et seq., Ford Motor Company hereby requests disclosure of the documents described below:

1. Copies of any documents indicating a connection between Ford Motor Company and the Pig's Eye Dump/ Fish Hatcheries Dump, Ramsey County, Minnesota.
2. Copies of any documents providing waste-in or other allocation information regarding the Site.
3. Copies of any studies or technical documents indicating the nature and extent of contamination at the Site.
4. Copies of any documents providing information about any costs incurred to date as a result of any study, cleanup, or other removal or remedial action taken at the Site.

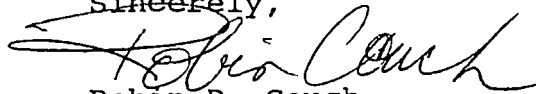
The term "documents" as used herein includes, without limitation by reason of enumeration, all documents, correspondence, photographs, memoranda, reports, notes and writings of any kind.

Ford Motor Company will pay copying charges associated with this request as required by law. Please feel free to contact me

Ground Water  
& Solid Waste Div.

to arrange for payment of the copying costs and to answer any questions you might have regarding this request. I may be reached by mail at the above address, by telephone at (313) 390-1878, or by facsimile transmission at (313) 390-3083.

Sincerely,

A handwritten signature in cursive script, appearing to read "Robin Couch", written over the typed name.

Robin D. Couch  
Staff Attorney

pigsstat.foia

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TYPE n FOR NEXT RECORD. TYP

Esc for Attention, Home to SWITCH | Capture Off | Applicati

LUMINA SEARCH REQUEST: S=CHEMICALS -DICTIONARIES  
CATALOG RECORD -- NO. 23 OF 38 ENTRIES FOUND

Gardner, William, d. 1943.

Chemical synonyms and trade names : a dictionary and commercial handbook containing over 35,500 definitions / by William Gardner. -- 8th ed., rev. and enl. / by Edward I. Cooke and Richard W. I. Cooke. -- Oxford : Technical Press c1978.

769 p. ; 25 cm.

Eighth ed. has title: Handbook of Chemical synonyms and trade names.

Includes index.

SUBJECT HEADINGS (Library of Congress; use s= ):

Chemicals--Dictionaries.

Chemicals--Trade-marks.

LOCATION: ST PAUL CENTRAL Ref

CALL NUMBER: 540.3 G177 1978

FOR ANOTHER COPY AT THIS OR ANOTHER LOCATION, press ENTER

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LUMINA SEARCH REQUEST: S=CHEMICALS -DICTIONARIES  
CATALOG RECORD -- NO. 23 OF 38 ENTRIES FOUND (CONTINUED)Gardner, William, d. 1943. Chemical synonyms and trade names ... c1978.  
(CONTINUED)

LOCATION: WALTER SCI/ENG Ref

CALL NUMBER: TP9 .G28 1978

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CATALOG RECORD -- NO. 21 OF 38 ENTRIES FOUND

Gardner's chemical synonyms and trade names / executive editor, Jill Pearce  
consultant, John Buckingham. -- 9th ed. -- Aldershot, Hants, England ;  
Brookfield, Vt., U.S.A. : Gower Technical Press, c1987.  
1081 p. ; 24 cm.  
Includes index.  
SUBJECT HEADINGS (Library of Congress; use s= ):  
Chemicals--Dictionaries.  
Chemicals--Trademarks.

LOCATION: WALTER SCI/ENG Ref  
CALL NUMBER: TP9 .G286 1987

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LUMINA SEARCH REQUEST: S=CHEMICALS -DICTIONARIES  
CATALOG RECORD -- NO. 21 OF 38 ENTRIES FOUND

Encyclopedia of chemical trademarks and synonyms / edited by H. Bennett. --  
York, N.Y. : Chemical Publishing, c1981-1983.  
3 v. ; 27 cm.  
SUBJECT HEADINGS (Library of Congress; use s= ):  
Chemicals--Dictionaries.  
Chemicals--Trade-marks.

LOCATION: WALTER SCI/ENG Ref  
CALL NUMBER: TP9 .E7x 1981  
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FOR ANOTHER COPY AT THIS OR ANOTHER LOCATION, press ENTER

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TYPE h FOR HELP, e FOR INTRODUCTORY SCREEN, OR r TO REVISE.  
AFTER TYPING A COMMAND, PRESS ENTER:

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LUMINA SEARCH REQUEST: S=CHEMICALS -DICTIONARIES  
CATALOG RECORD -- NO. 21 OF 38 ENTRIES FOUND (CONTINUED)

Encyclopedia of chemical trademarks and synonyms ... c1981-1983.  
(CONTINUED)

LOCATION: ST PAUL CENTRAL Ref  
CALL NUMBER: 540.3 En185  
LIBRARY HAS:  
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v. 2  
v. 3

16EZO



Office of the General Counsel

Ford Motor Company  
Parklane Towers West, Suite 401  
One Parklane Boulevard  
Dearborn, Michigan 48126

February 28, 1991

VIA FACSIMILE AND FEDERAL EXPRESS

Ms. Cathy O'Connell  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155-3898

RECEIVED  
MAR 04 91  
MPCA, Ground Water  
& Solid Waste Div

Subject: Pig's Eye/Fish Hatcheries Dump  
Requirement to Provide Information

Dear Ms. O'Connell,

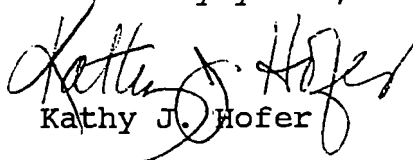
Ford Motor Company's response to the Minnesota Pollution Control Agency's ("MPCA") Requirement to Provide Information regarding the Pig's Eye/Fish Hatcheries site is enclosed. It is the policy of Ford Motor Company to cooperate with all applicable environmental laws.

Please direct all further communication concerning this Site to me at the following address:

Kathy J. Hofer  
Ford Motor Company  
Office of the General Counsel  
Suite 401, Parklane Towers West  
One Parklane Boulevard  
Dearborn, Michigan 48126

I may also be reached by telephone at (313) 594-1687 or by facsimile transmission at (313) 390-3083. Please feel free to call me if you have any questions regarding Ford's response to the Requirement to Provide Information.

Sincerely yours,

  
Kathy J. Hofer

MINNESOTA  
POLLUTION CONTROL AGENCY

|                                     |   |                      |
|-------------------------------------|---|----------------------|
| In the matter of:                   | ) | FORD MOTOR COMPANY'S |
| PIG'S EYE DUMP/FISH HATCHERIES DUMP | ) | RESPONSE TO          |
| RAMSEY COUNTY, MINNESOTA            | ) | REQUIREMENT TO       |
| -----                               | ) | PROVIDE INFORMATION  |

GENERAL OBJECTIONS

Ford Motor Company ("Ford") objects to this Requirement to Provide Information ("Requirement") on the grounds, among others, that:

a. The Minnesota Pollution Control Agency ("MPCA") has not established the necessary prerequisites, set forth in the Minnesota Environmental Response and Liability Act ("MERLA") or the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), to its authority to seek certain information under those acts.

b. The subject matter of the Requirement appears to be outside the scope of the matters covered by the state's laws on water and air pollution and, therefore, the MPCA is not authorized by such laws to seek the information requested in the Requirement.

c. The Requirement purports to require that a search be conducted without geographic or temporal limitation and therefore is overly broad and seeks to impose obligations which are unduly burdensome.

d. The Requirement seeks certain information neither authorized by MERLA or CERCLA, nor relevant to the subject matter of the Requirement.

e. The Requirement seeks identification of and copies of "all documents reviewed in the preparation of this document," whether or not such documents are responsive to the Requirement or otherwise relevant to the subject matter of the Requirement, a requirement not authorized by MERLA or CERCLA.

f. The Requirement seeks the identity, addresses, and telephone numbers of "all persons consulted in the preparation of the response to the Questionnaire," whether or not such persons have information that is responsive to the Requirement or otherwise relevant to the subject matter of the Requirement, requirements not authorized by MERLA or CERCLA.

g. The Requirement purports to impose a continuing obligation to supplement Ford's response although no supplementation is required by MERLA or CERCLA.

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h. The Requirement purports to require responses based upon information and documents outside the custody and control of Ford Motor Company.

i. The definitions of "Ford Motor Company," "You," and "business" are overly broad and seek to impose obligations which are unduly burdensome and oppressive and not authorized by MERLA or CERCLA.

j. The definition of "document" is overly broad and seeks to impose obligations which are unduly burdensome and oppressive and not authorized by MERLA or CERCLA.

k. The definitions of "IDENTIFY/Individual"; "IDENTIFY/Business"; and "IDENTIFY/Document" are overly broad and seek to impose obligations which are unduly burdensome and oppressive and not authorized by MERLA or CERCLA.

l. The Requirement seeks information protected from disclosure by the attorney-client privilege and the attorney work product doctrine, including but not limited to the identification of all persons or other sources of information consulted in the preparation of the answer, and all documents consulted, examined, or referred to in the preparation of the answer.

m. The Requirement purports to require the notarized signature of a Company official or representative that there has been a diligent search for records relevant to the questionnaire and a diligent interview process with present and former employees, a requirement not authorized by MERLA or CERCLA.

n. The Requirement purports to require that information based on personal knowledge be submitted in the form of notarized affidavits, a requirement not authorized by MERLA or CERCLA.

o. The Requirement purports to require the identification of the date of disposal of any documents requested which may have been disposed of, and therefore is overly broad and seeks to impose obligations which are unduly burdensome and oppressive and not authorized by MERLA or CERCLA.

Without waiving or in any way limiting any objection which it has or may have, Ford makes the following response to the Requirement, based upon a reasonable investigation and document search limited to the Ford Twin Cities Assembly Plant, St. Paul, Minnesota, the facility to which the Requirement was addressed, and limited to the time period of 1956 to 1972, the time period referenced in the Requirement:

#### Part I

1. Ford Motor Company.
2. Yes.



3. Delaware.
4. July 9, 1919.
5. C T Corporation System, Inc.  
405 Second Avenue, South  
Minneapolis, Minnesota 55401
6. Ford is a publicly held corporation.
7. Ford objects to this request on the grounds that it is neither authorized by MERLA or CERCLA, nor relevant to the subject matter of the Requirement.
8. Not Applicable.
- 9-14. Not Applicable.
15. The Standard Industrial Classification (SIC) Code number for the Twin Cities Assembly Plant is 3711.
16. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds that the Twin Cities Assembly Plant is an automotive assembly plant which currently produces light duty Ford trucks.
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18. Ford objects to this request as irrelevant and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds that it contracts with hundred of persons and businesses for goods and services.
19. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement.

Part II

1. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection it has or may have, Ford responds that there are many departments within Ford that are responsible for compliance with environmental requirements, including Ford's Environmental Quality Office.

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4. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement.

5. See response to Part II, No. 4.

6. See response to Part II, Nos. 4 and 5.

7. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds as follows:

a. The plant has generated the following wastes:

-- Paint sludges comprised of the following:

|           |   |
|-----------|---|
| 1950-1958 | 20J-Soya Alkyd, Melamine Resins         |
| 1958-1960 | 25J-Soya Coconut Alkyd, Melamine Resins |
| 1960-1972 | 30J-Coconut Alkyd, Melamine Resins      |

1972                    32J-Acrylic, Melamine Resins

-- Waste solvents containing the following:

1950-1972            aromatic and aliphatic hydrocarbons, ketones  
                     esters, alcohol, xylene and toluene

-- Waste Oils and Greases:

petroleum derivatives with a naphthenic or paraffinic  
base (hydraulic and motor oil)

-- Phosphating sludge

-- Cardboard, paper, wood, and general refuse

-- Batteries

-- Heavy and light steel, cast iron, brass and copper

b. The wastes have been generated as follows:

-- Paint sludges result from the painting and  
priming of automotive bodies

-- Waste solvents result from the cleaning of facilities  
and painting equipment

-- Waste oils result from the maintenance of forklifts,  
pool cars and hydraulic equipment

-- Phosphate sludge results from the phosphating of  
automotive bodies

-- Cardboard, paper, wood and general refuse result from  
packaging materials and general plant operations

-- Batteries result from use in forklift trucks and pool  
cars or were defective when received

c. Ford has insufficient information to determine the  
quantities of waste disposed by the plant during the relevant time  
period.

d. During the relevant time period the waste from the  
plant was apparently disposed of both in drums or barrels and in  
bulk.

e. All plant wastes were disposed or buried onsite at the  
plant until the mid-1950s. Some wastes continued to be disposed  
onsite until the mid-1960s. To the best of Ford's knowledge,  
Ford never directed the disposal of any waste or other materials  
at the Pig's Eye/Fish Hatcheries Dump. It appears, however, that  
Waste Control Incorporated (formerly called Twin City Waste  
Control), the hauler used by the plant during the relevant time  
period, told a former employee that it may have used the Pig's  
Eye/Fish Hatcheries Dump prior to the early 1960s. Waste Control

Incorporated apparently used other disposal locations after that time.

f. See response to Part II, No. 7(e).

8. Ford has not located any information that would indicate that it hauled any material to the site or to any designated disposal area at the site.

9. Yes. See response to Part II, No. 7(a).

10. Ford has not located sufficient information to enable it to determine the chemical composition or the total amounts of waste, if any, generated by Ford and disposed of at the Pig's Eye/Fish Hatcheries Dump.

11. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement.

12. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement, and as calling for a legal conclusion.

13. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement. Ford also objects to the request as vague and ambiguous in that Question 9 does not request information dealing with subcontractors.

14. Ford objects to this request as overly broad, unduly burdensome, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds that during the relevant period Waste Control Incorporated (formerly called Twin City Waste Control) hauled wastes from the Twin Cities Assembly Plant.

15. See response to Part II, Nos. 7 and 14.

16. Ford objects to this request as overly broad and unduly burdensome and on the grounds that it seeks information protected from disclosure by the attorney-client privilege and the attorney work product doctrine. These responses are the corporate responses of the Ford Motor Company based upon information obtained from its employees and records under the direction of its attorneys.


17. Mr. Ron Roth of Waste Control Incorporated may have information relevant to this request.

- 7 -

18. Ford objects to this request as overly broad and unduly burdensome and on the grounds that it seeks information protected from disclosure by the attorney work product doctrine.

19. With respect to insurance coverage, we assume that this is a form question attempting to determine information relating to the ability of a person to pay for or to perform a cleanup. Ford's financial ability to pay is public information and not in dispute. Thus, the request is unduly burdensome.

I, J. M. RINTAMAKI, am an Assistant Secretary of Ford Motor Company and sign this Response to the MPCA's Requirement to Provide Information for and on behalf of Ford Motor Company, and am duly authorized to do so; certain of the matters stated herein are not within my personal knowledge; the facts stated herein have been assembled by authorized employees and counsel of Ford Motor Company; and I am informed that the facts stated herein are true.



J. M. Rintamaki  
Assistant Secretary

pieysta.104

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Office of the General Counsel  
Environmental Law

Ford Motor Company  
Parklane Towers West, Suite 401  
One Parklane Boulevard  
Dearborn, Michigan 48126

THIS COMMUNICATION CONTAINS CONFIDENTIAL INFORMATION WHICH IS INTENDED ONLY FOR THE USE OF THE ADDRESSEE. IT MAY ALSO CONTAIN (AND IF LABELED "PRIVILEGED AND CONFIDENTIAL" DOES CONTAIN) INFORMATION THAT IS PROTECTED BY ATTORNEY-CLIENT PRIVILEGE OR THE WORK PRODUCT DOCTRINE. COPYING OR DISTRIBUTION OF THIS COMMUNICATION BY PERSONS OTHER THAN THE ADDRESSEE IS PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US AT THE ABOVE ADDRESS BY UNITED STATES MAIL. THANK YOU.

FACSIMILE TRANSMITTAL SHEET

Transmitting from: Pitney Bowes 8050 Facsimile  
Phone Number: (313) 390-3083

Date: 2-28-91

DELIVER TO: Cathy O'Connell

Telephone No.: \_\_\_\_\_

Number of sheets transmitted (including this one): 9

| FROM: |          |                       | Phone          |
|-------|----------|-----------------------|----------------|
|       | <u>X</u> | Robert E. Costello    | (313) 322-1966 |
|       | _____    | Robin D. Couch        | (313) 390-1878 |
|       | _____    | Mark D. Edie          | (313) 390-1874 |
|       | _____    | Michelle D. Erikainen | (313) 594-1747 |
|       | _____    | Timothy A. Green      | (313) 390-1875 |
|       | _____    | Kathy J. Hofer        | (313) 594-1687 |
|       | _____    | George Kircos         | (313) 390-1877 |
|       | _____    | Eileen A. Martin      | (313) 390-1876 |
|       | _____    | Sharon A. Mermuys     | (313) 594-1656 |
|       | _____    | John R. Phillips      | (313) 322-4891 |
|       | _____    | Rolf W. Quisling      | (313) 322-1941 |
|       | _____    |                       | (313) _____    |

If you do not receive all pages, please contact:

|          |                     |                |
|----------|---------------------|----------------|
| <u>X</u> | Linda J. Donovan    | (313) 322-4892 |
| _____    | Susan J. Endreszl   | (313) 322-1941 |
| _____    | Barbara A. Greenlee | (313) 390-1875 |

REMARKS: \_\_\_\_\_



Office of the General Counsel

Ford Motor Company  
Parklane Towers West, Suite 401  
One Parklane Boulevard  
Dearborn, Michigan 48126

February 28, 1991

VIA FACSIMILE AND FEDERAL EXPRESS

Ms. Cathy O'Connell  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155-3898

Subject: Pig's Eye/Fish Hatcheries Dump  
Requirement to Provide Information

Dear Ms. O'Connell,

Ford Motor Company's response to the Minnesota Pollution Control Agency's ("MPCA") Requirement to Provide Information regarding the Pig's Eye/Fish Hatcheries site is enclosed. It is the policy of Ford Motor Company to cooperate with all applicable environmental laws.

Please direct all further communication concerning this Site to me at the following address:

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Sincerely yours,

A handwritten signature in dark ink, appearing to read "Kathy J. Hofer".  
Kathy J. Hofer

02402

MINNESOTA  
POLLUTION CONTROL AGENCY

|                                     |   |                      |
|-------------------------------------|---|----------------------|
| In the matter of:                   | ) | FORD MOTOR COMPANY'S |
| PIG'S EYE DUMP/FISH HATCHERIES DUMP | ) | RESPONSE TO          |
| RAMSEY COUNTY, MINNESOTA            | ) | REQUIREMENT TO       |
| -----                               | ) | PROVIDE INFORMATION  |

GENERAL OBJECTIONS

Ford Motor Company ("Ford") objects to this Requirement to Provide Information ("Requirement") on the grounds, among others, that:

a. The Minnesota Pollution Control Agency ("MPCA") has not established the necessary prerequisites, set forth in the Minnesota Environmental Response and Liability Act ("MERLA") or the Comprehensive Environmental Response, Compensation and Liability Act ("CERCLA"), to its authority to seek certain information under those acts.

b. The subject matter of the Requirement appears to be outside the scope of the matters covered by the state's laws on water and air pollution and, therefore, the MPCA is not authorized by such laws to seek the information requested in the Requirement.

c. The Requirement purports to require that a search be conducted without geographic or temporal limitation and therefore is overly broad and seeks to impose obligations which are unduly burdensome.

d. The Requirement seeks certain information neither authorized by MERLA or CERCLA, nor relevant to the subject matter of the Requirement.

e. The Requirement seeks identification of and copies of "all documents reviewed in the preparation of this document," whether or not such documents are responsive to the Requirement or otherwise relevant to the subject matter of the Requirement, a requirement not authorized by MERLA or CERCLA.

f. The Requirement seeks the identity, addresses, and telephone numbers of "all persons consulted in the preparation of the response to the Questionnaire," whether or not such persons have information that is responsive to the Requirement or otherwise relevant to the subject matter of the Requirement, requirements not authorized by MERLA or CERCLA.

g. The Requirement purports to impose a continuing obligation to supplement Ford's response although no supplementation is required by MERLA or CERCLA.



02403



Office of the General Counsel  
Environmental Law

Ford Motor Company  
Parklane Towers West, Suite 401  
One Parklane Boulevard  
Dearborn, Michigan 48126

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02405

MINNESOTA  
POLLUTION CONTROL AGENCY

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- 4 -

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|-----------|---|
| 1950-1958 | 20J-Soya Alkyd, Melamine Resins         |
| 1958-1960 | 25J-Soya Coconut Alkyd, Melamine Resins |
| 1960-1972 | 30J-Coconut Alkyd, Melamine Resins      |

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1972 32J-Acrylic, Melamine Resins

-- Waste solvents containing the following:

1950-1972 aromatic and aliphatic hydrocarbons, ketones  
esters, alcohol, xylene and toluene

-- Waste Oils and Greases:

petroleum derivatives with a naphthenic or paraffinic  
base (hydraulic and motor oil)

-- Phosphating sludge

-- Cardboard, paper, wood, and general refuse

-- Batteries

-- Heavy and light steel, cast iron, brass and copper

b. The wastes have been generated as follows:

-- Paint sludges result from the painting and  
priming of automotive bodies

-- Waste solvents result from the cleaning of facilities  
and painting equipment

-- Waste oils result from the maintenance of forklifts,  
pool cars and hydraulic equipment

-- Phosphate sludge results from the phosphating of  
automotive bodies

-- Cardboard, paper, wood and general refuse result from  
packaging materials and general plant operations

-- Batteries result from use in forklift trucks and pool  
cars or were defective when received

c. Ford has insufficient information to determine the  
quantities of waste disposed by the plant during the relevant time  
period.

d. During the relevant time period the waste from the  
plant was apparently disposed of both in drums or barrels and in  
bulk.

e. All plant wastes were disposed or buried onsite at the  
plant until the mid-1950s. Some wastes continued to be disposed  
onsite until the mid-1960s. To the best of Ford's knowledge,  
Ford never directed the disposal of any waste or other materials  
at the Pig's Eye/Fish Hatcheries Dump. It appears, however, that  
Waste Control Incorporated (formerly called Twin City Waste  
Control), the hauler used by the plant during the relevant time  
period, told a former employee that it may have used the Pig's  
Eye/Fish Hatcheries Dump prior to the early 1960s. Waste Control

- 6 -

Incorporated apparently used other disposal locations after that time.

f. See response to Part II, No. 7(e).

8. Ford has not located any information that would indicate that it hauled any material to the site or to any designated disposal area at the site.

9. Yes. See response to Part II, No. 7(a).

10. Ford has not located sufficient information to enable it to determine the chemical composition or the total amounts of waste, if any, generated by Ford and disposed of at the Pig's Eye/Fish Hatcheries Dump.

11. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement.

12. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement, and as calling for a legal conclusion.

13. Ford objects to this request as overly broad, unduly burdensome, irrelevant, and not authorized by MERLA or CERCLA, in that it requests information not relevant to the subject matter of the Requirement. Ford also objects to the request as vague and ambiguous in that Question 9 does not request information dealing with subcontractors.

14. Ford objects to this request as overly broad, unduly burdensome, and not authorized by MERLA or CERCLA, to the extent that it requests information not relevant to the subject matter of the Requirement. Without waiving or in any way limiting any objection Ford has or may have, Ford responds that during the relevant period Waste Control Incorporated (formerly called Twin City Waste Control) hauled wastes from the Twin Cities Assembly Plant.

15. See response to Part II, Nos. 7 and 14.

16. Ford objects to this request as overly broad and unduly burdensome and on the grounds that it seeks information protected from disclosure by the attorney-client privilege and the attorney work product doctrine. These responses are the corporate responses of the Ford Motor Company based upon information obtained from its employees and records under the direction of its attorneys.

17. Mr. Ron Roth of Waste Control Incorporated may have information relevant to this request.



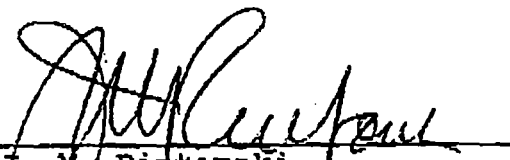
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- 7 -

18. Ford objects to this request as overly broad and unduly burdensome and on the grounds that it seeks information protected from disclosure by the attorney work product doctrine.

19. With respect to insurance coverage, we assume that this is a form question attempting to determine information relating to the ability of a person to pay for or to perform a cleanup. Ford's financial ability to pay is public information and not in dispute. Thus, the request is unduly burdensome.

I, J. M. RINTAMAKI, am an Assistant Secretary of Ford Motor Company and sign this Response to the MPCA's Requirement to Provide Information for and on behalf of Ford Motor Company, and am duly authorized to do so; certain of the matters stated herein are not within my personal knowledge; the facts stated herein have been assembled by authorized employees and counsel of Ford Motor Company; and I am informed that the facts stated herein are true.



J. M. Rintamaki  
Assistant Secretary

pieysta.104

RECEIVED

FEB 11 91

PCA, Ground Water  
Solid Waste Div.

Office of the General Counsel

Ford Motor Company  
Parklane Towers West, Suite 401  
One Parklane Boulevard  
Dearborn, Michigan 48126

February 7, 1991

Ms. Cathy O'Connell  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155-3898

Subject: Requirement to Provide Information  
Pig's Eye Dump/Fish Hatcheries Dump

Dear Ms. O'Connell,

Pursuant to my conversation today with Kristen in your office, this is to confirm Ford Motor Company's extension until February 28, 1991 to respond to the Requirement to Provide Information in the above referenced matter.

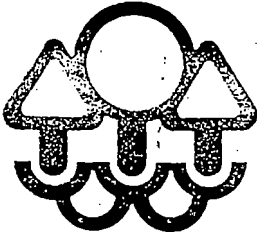
If the above does not accurately reflect our understanding, please contact me at (313) 390-1878.

Sincerely,

A handwritten signature in cursive script that reads "Robin Couch".

Robin D. Couch  
Staff Attorney

pieyext.1tr



02413

# Minnesota Pollution Control Agency

520 Lafayette Road, Saint Paul, Minnesota 55155

Telephone (612) 296-6300

*Certificate*  
MINNESOTA 1990CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

January 8, 1991

Mr. John Kallaus  
Ford Motor Company  
966 S. Mississippi River Blvd.  
St. Paul, Minnesota 55166

Dear Mr. Kallaus

RE: Requirement To Provide Information  
Pig's Eye Dump/Fish Hatcheries Dump

|  |
|--|
| Ground Water & Solid Waste Division<br>Site Response Section |
| <u>Pig's Eye</u><br>File Name                                |
| Sub File Name  |
| Initial  |

The Minnesota Pollution Control Agency (MPCA) is responsible for implementing the Minnesota Environmental Response and Liability Act (MERLA). MERLA is the cornerstone of the state's efforts to investigate and remedy hazardous waste sites where contamination threatens the public health or the environment.

Pursuant to MERLA, the MPCA staff has identified a release or threatened release of hazardous substances or pollutants or contaminants at the Pig's Eye Dump/Fish Hatcheries Dump, located in Ramsey County, Minnesota. The MPCA staff is in the process of identifying persons who may be responsible for this release or threatened release under MERLA because they arranged for disposal, or transport for disposal, of hazardous waste at the above-referenced site.

The MPCA staff has reason to believe that Ford Motor Company is a responsible person under MERLA, and may have information which is relevant to the release or threatened release for the Pig's Eye Dump/Fish Hatcheries Dump. To facilitate the agency's investigation, the MPCA staff is sending you the enclosed Requirement To Provide Information. As the recipient of this Requirement To Provide Information, you have the legal duty under state law to provide information requested by the MPCA which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants. Information obtained in response to the Requirement To Provide Information will be used by MPCA staff in carrying out their responsibilities under MERLA, including the identification of other responsible persons for the release or threatened release. This is a first Questionnaire; in the future it may be necessary to supplement the information available to MPCA with additional Questionnaires.

Since obtaining this information is an important initial step in the process, your response to the enclosed Questionnaire needs to be submitted within thirty (30) days from the date of the Requirement To Provide Information. The information in your response is vital and will allow us to protect the public health and the environment. Therefore, failure to provide timely, complete and accurate answers to the Questionnaire may result in legal actions by the state of Minnesota to compel disclosure.

Mr. John Kallans  
Page 2  
January 8, 1991

Attachment 1 contains instructions for completing the Questionnaire. A list of definitions of words used in the Questionnaire may be found in Attachment 2. Please review both attachments and any relevant documents should be mailed to the following address:

Cathy O'Connell  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division  
Minnesota Pollution Control Agency  
520 Lafayette Road  
St. Paul, Minnesota 55155-3898

Should you have any questions regarding this letter and the enclosed Requirement To Provide Information and Questionnaire, please contact Cathy O'Connell at (612) 296-7227.

Sincerely,



Cathy O'Connell  
Project Manager  
Superfund Unit  
Site Response Section  
Ground Water and Solid Waste Division

CO:klm

Enclosures

STATE OF MINNESOTA  
POLLUTION CONTROL AGENCY

In the Matter of  
Pig's Eye Dump/Fish Hatcheries Dump

REQUIREMENT TO PROVIDE  
INFORMATION PURSUANT TO THE  
MINNESOTA ENVIRONMENTAL  
RESPONSE AND LIABILITY ACT

The Minnesota Pollution Control Agency (MPCA) staff has reason to believe that Ford Motor Company is a responsible person under the Minnesota Environmental Response and Liability Act (MERLA) and may have information which is relevant to the release or threatened release of hazardous substances or pollutants or contaminants from the above-referenced site. You are required by Minnesota Statutes, Section 115B.17, subdivision 3 (1990) to provide information to the MPCA and its employees that is relevant to the release or threatened release:

Any person who the agency has reason to believe is responsible for a release or threatened release as provided in section 115B.03, or who is the owner of real property where the release or threatened release is located or where response action are proposed to be taken, when requested by the agency, or any member, employee or agent thereof who is authorized by the agency, shall furnish to the agency any information which that person may have or may reasonably obtain which is relevant to the release or threatened release.

The federal Comprehensive Environmental Response and Liability Act, Section 104 (e) (1) and (2) also authorizes the MPCA, pursuant to an existing U.S. EPA - MPCA Cooperative Enforcement Agreement, to require responsible persons to furnish such information.

The MPCA is also authorized by Minnesota Statutes, Section 115B.17, subdivision 4(a) (1990) to examine and copy any books, papers, records, memoranda or data of any person who has a duty to provide information under subd. 3.

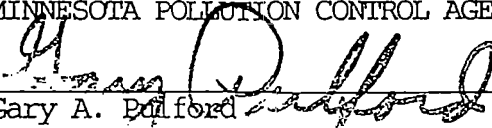
In addition, the MPCA is authorized to conduct investigations in conjunction with its duties to enforce the state's laws on water and air pollution.

Minnesota Statutes, Section 115.03, subdivision 1(h) (1990), Minnesota Statutes, Section 116.07, Section 116.07, subdivision 9(c) (1990).

You are hereby directed to answer the attached questionnaire and to provide any relevant documents within thirty (30) days from the date of this Requirement To Provide Information. Failure to respond or to provide complete and accurate answers to the enclosed questions may result in legal action by the state of Minnesota to compel disclosure.

Date: JAN 08 1991

MINNESOTA POLLUTION CONTROL AGENCY

  
\_\_\_\_\_  
Gary A. Polford  
Chief, Site Response Section  
Ground Water and Solid Waste Division

Questionnaire for Pig's Eye Dump/Fish Hatcheries Dump  
and  
Request for Production of Documents

Part I: ABOUT THE BUSINESS

1. Identify the full legal name of the business.
2. Is the business incorporated?

NOTE: If the answer is YES, answer Questions 3-9 of Part I; If the answer is NO, proceed to Question 9, and answer Questions 9-14 of Part I.

Questions To Be Answered By Corporations:

3. Identify the state or states in which the business is incorporated.
4. When was the business incorporated in each of the above state(s)?
5. Identify the name and address of the corporation's agent for service process who is registered with the Minnesota Secretary of State.
6. Is the business a public or closely held corporation?
7. Identify the names, current addresses and telephone numbers of all directors and officers of the corporation.
8. If the corporation is closely held, identify the names and current addresses and telephone numbers of all shareholders of the corporation.

Questions To Be Answered By Non-Incorporated Business Entities:

9. Is the business either a legal partnership or sole proprietorship? Please specify.
10. If the answer to Question 9 is LEGAL PARTNERSHIP, is the partnership a general or limited partnership?
11. If the business is not a legal partnership or sole proprietorship, please explain the legal organization of the business (for example, joint venture, syndication).
12. How many years has the business been in operation?
13. Identify the names and current addresses and telephone numbers of all current owner(s) of the business.
14. Identify (a) any changes in owners or partners, specifying past owners or partners and their current addresses and telephone numbers; (b) past and current name(s) of the business; and (c) any changes in the location of the business.

Questions To Be Answered By All Businesses:

15. What is the Standard Industrial classifications (SIC) Code number of the business?
16. Identify the products or services which are produced or offered by the business.
17. Describe the activities and processes used by the business production of its product (i.e., machinery electroplating).
18. Does the business subcontract to any other businesses?
19. If the answer to Question 18 is YES, identify the names and current addresses and telephone numbers of the people with whom the business subcontracts.

Part II: ABOUT THE ENVIRONMENTAL PRACTICES OF THE BUSINESS

1. Identify the department of the business which is responsible for compliance with environmental requirements.
2. Identify all employees who are responsible for implementing the environmental program of the company (include current employee telephone numbers, length of time of job, and current work status with company).
3. Identify all environmental permits issued by federal, state, county, city or other governmental authorities which the business holds and the effective dated for such permits.
4. Are there any environmental enforcement actions of any kind pending which involve the company?
5. Have there been any environmental enforcement action involving the business since January 1, 1980?
6. If the answer to either Question 4 or 5 is YES, identify the type of enforcement action, the governmental agency involved, and the status or resolution of the matter.
7. Identify all waste which is currently and/or has been generated by the business. Include a list of (a) the type of waste; (b) how the waste was produced; (c) quantity disposed; (d) container used for disposal (barrels, cartons, etc.); (e) where the waste was disposed; and (f) the time period of generation and disposal of waste.
8. Did Ford Motor Company have a designated disposal area at the site? If yes, please provide a map showing the location of the designated area.



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9. Did your company generate any of the following wastes:

|                         |                         |
|-------------------------|-------------------------|
| acetone                 | 1,2,4-trimethyl benzene |
| barium compounds        | xylene                  |
| benzene                 | zinc compounds          |
| n-butyl alcohol         | glycol ethers           |
| ethyl benzene           | chlorobenzene           |
| ethylene glycol         | methyl ethyl ketone     |
| methyl isobutyl ketone  | phenol                  |
| phosphoric acid         | pentachlorophenol       |
| sulfuric acid           | anthracene              |
| 1,2 - Diphenylhydrazine | isophorone              |
| carbide abrasives       | calcium hydroxide       |
| mercury                 | ferric Chloride         |
| selenium                | silver                  |
| lacquer                 | di-n-Butylphthalate     |
| butylbenaylphalate      | paint sludges           |
| plastics                | resins                  |
| adhesives               | varnishes               |
| transformers            | transformer fluids      |
| batteries               |                         |

Cyanide wastes from cyanide plating solutions, simple cyanide or cyanide baths

Paints containing:

lead  
chromium  
cadmium  
barium  
nickel

Solvents, such as:

methylene chloride  
trichloroethylene  
trichloroethane  
petroleum naphtha  
mineral spirits  
vapor degreasers  
immersion cleaner  
freon

Used oil, such as:

lubricating oil  
gear oil  
cutting oil  
tempering or quenching oils

grease  
transformer fluids  
transmission fluids

Used oil containing heavy metals or PCBs

Used oils containing or mixed with solvents, if so please indicate the type of solvents

10. With respect to each solid or hazardous wastes which was generated by Ford Motor Company and disposed of at the Pig's Eye/Fish Hatcheries Dump, to the best of your ability please state the following:
  - a. The chemical composition of each waste disposed and the procedure utilized in making the determination;
  - b. The total amount (by volume and weight) of each type of waste disposed in each calendar month (if monthly totals are not available, provide the amounts disposed in each calendar year).
11. If no waste was ever disposed by the business at the Pig's Eye Dump/Fish Hatcheries Dump, identify the specific sites or facilities where the business disposed of its waste.
12. Is the business responsible for the waste generated by its subcontractors?
13. If the answer to Question 9 is YES, identify how the business disposes of its subcontractor's waste. Include an explanation of factors (a) through (f) in Question 7.
14. Identify the manner in which any waste generated by the business (or its subcontractors) was transported. Also list all waste haulers that the company currently uses and has used in the past and provide the dates of use.
15. If the business currently uses or has utilized waste collection service(s) for the collection of its waste, indicate the following: (a) the name of the waste collection service(s) utilized, and (b) the name of the disposal site(s) utilized by either the business or its waste collection service(s), if known.
16. Identify all persons whom the business consulted in the preparation of the response to the Questionnaire, including their current addresses and telephone numbers and relationship to the business.
17. Identify any other persons who may be able to provide a more detailed or complete response to the Questionnaire or who may be able to provide additional relevant documents.
18. Identify all documents reviewed in the preparation of this document (i.e., manifests, letters, reports, etc.) and either (a) propose all such documents for inspection and copying, or (b) provide copies of such documents.
19. Identify each liability insurance policy held by you or the business during only the period when waste generated by the business was disposed at Pig's Eye Dump/Fish Hatcheries Dump. Provide the name and address of each insurer

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and of the insured, amount of coverage under each policy, commencement and expiration data, existence of a "pollution exclusion" clause, and coverage of sudden or nonsudden types of accidents. (In lieu of providing this information, you may submit complete copies of all relevant insurance policies.)

Attachment 1  
Instructions for Questionnaire

1. Enclose with your response to the Questionnaire a notarized affidavit from you or an authorized official representing your business attesting to the fact (a) that a diligent search for records relevant to this Questionnaire has been completed and (b) that a diligent interview process has been conducted with present and former employees who may have knowledge of waste generation or other waste management practices at Pig's Eye Dump/Fish Hatcheries Dump from 1956 to 1972. Any information that you provide in response to the Questionnaire that is based on your personal knowledge, or the personal knowledge of your employees, agents, or other representatives must be submitted in the form of a notarized affidavit.
2. Review the list of definitions in Attachment 2.
3. Make a separate written response to each question. Do not leave any blank questions.
4. Number each of your answers according to the corresponding numbered question. For each document produced in response to the Requirement To Provide Information, identify the number of the question to which it responds on the document or in some other reasonable manner.
5. In answering each question, identify all sources of information consulted in preparing the response.
6. You are required to respond to each question on the basis of any and all information and documents in your possession, custody, or control or the possession, custody or control of your current or former employees, agents, or contractors, or other person who conducted business on your behalf. Furnish information that is available to you regardless of whether it is based on personal knowledge, and regardless of the source.
7. Information necessary to adequately respond to a question may not be known or available on the date your response is submitted. If this is the case, you have a continuing duty to provide the information when it becomes known or available.
8. Respond in writing to each question even if information on which your answer is based has not been recorded in any particular document.
9. If any requested documents have been transferred voluntarily or involuntarily to others or have been otherwise disposed of, identify (a) each document; (b) the person to whom it was transferred; and (c) the date of the transfer or disposal.
10. You have a duty to provide the requested information even if the information may be considered confidential or a trade secret. If you provide any information that related to sales figures, processes or methods of production unique to your business, or information that would tend to affect adversely the competitive position of your business if generally known, you may certify this claim at the time you submit your response and the

information so certified will be help nonpublic as provided in Minnesota Statutes, Section 115B.17, subdivision 5 (1990). Any such certification must specifically identify the information that you believe qualifies for nonpublic treatment. If no such certification accompanies the information when it is received by the MPCA, it may be made available to the public by the MPCA without further notice to you.

Attachment 2  
Definitions for Questionnaire

For the purpose of your answers to the Questionnaire, the following definitions shall apply:

1. FORD MOTOR COMPANY. "Ford Motor Company" includes any agent, subcontractor, or any other person who conducted or did business on behalf of "Ford Motor Company".

2. PIG'S EYE DUMP/FIST HATCHERIES DUMP. "Pig's Eye Dump/Fist Hatcheries Dump" means the property located 1/2 mile southeast of the intersection of Warner Road and Childs Road (an old report lists the address as 1150 Pig's Eye Lake Road), [Ramsey County, Section 10, T28N, R22W] and the property located at the intersection of Warner Road and Childs Road (an old report simply gives the address as Warner Road) [Ramsey County, Section 3, T28N, R22W], St. Paul Minnesota.

3. YOU; BUSINESS. The terms "you" and "business," means the addressee of the Requirement To Provide Information.

4. DOCUMENT. "Document" means information preserved in any manner which is in the possession of or may be reasonably obtained by the addressee, including information in the possession of the addressee's directors, officer, shareholders, partners, managers, employees, subcontractors, trustees, successors, assigns, and agents, regardless of the location of the document or its classification as privileged or confidential. The term "document" includes but is not limited to the following: correspondence, contracts, agreements, memoranda, telegrams, reports, assignment, personnel records, record books, manifests, logs, scrapbooks, diaries, minutes, plans, drawings, photographs, tapes, computer discs, invoices, checks, surveys and analyses.

5. IDENTIFY/Individual. The term "identify" means, with respect to an "individual," to set forth the person's full name, present or last known address, name of the employer, and a description of the job responsibilities of the person.

6. IDENTIFY/Business. The term "identify" means, with respect to a corporation, sole proprietorship, partnership, or other association or business entity, to set forth its full name, address, legal form (for example, corporation, partnership, etc.), and a brief description of the product or service offered by the business.

7. IDENTIFY/Document. The term "identify" means, with respect to a document to provide its customary business description, its date, its number if any (for example, invoice or purchase order number) as well as its author, addresser, addressee and/or recipient, and the substance or the subject matter.

8. PERSON. "Person," as defined in Minnesota Statutes, Section 115B.02, subdivision 12 (1990) means any individual, partnership, association, public or private corporation or other entity, including the United States government, any interstate body, the state and any agency, department or political subdivision of the state.

9. FACILITY. "Facility," as defined in Minnesota Statutes, Section 115B.02, subdivision 5 (1990) means:

(a) Any building, structure, installation, equipment, pipe or pipeline (including any pipe into a sewer or publicly owned treatment works), well, pit, pond, lagoon, impoundment, ditch landfill, storage container, motor vehicle, rolling stock, or aircraft;

-3-

(b) Any watercraft of any description, or other artificial contrivance used or capable of being used as a means of transportation on water; or

(c) Any site or area where a hazardous substance, or a pollutant or contaminant, has been deposited, stored, disposed of, or placed, or otherwise come to be located.

"Facility" does not include any consumer product in consumer use.

10. HAZARDOUS SUBSTANCE. "Hazardous substances," as defined in Minnesota Statutes, Section 115B.02, subdivision 8 (1990), means:

(a) Any commercial chemical designated pursuant to the federal Air Pollution Control Act, under United States Code, title 33, section 1321(b)(2)(A);

(b) Any hazardous air pollutant listed pursuant to the Clean Air Act, under United State Code, title 42, section 7412, and

(c) Any hazardous waste.

"Hazardous substance" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas a natural gas, not does it include petroleum, including crude oil or any fraction thereof which is not otherwise a hazardous waste.

11. HAZARDOUS WASTE. "Hazardous waste," as defined in Minnesota Statutes, Section 115B.02, subdivision 9 (1990) means:

(a) Any hazardous waste as defined in section 116.06, subdivision 13, and any substance identified as a hazardous waste pursuant to rules adopted by the agency under section 116.07; and



(b) Any hazardous waste as defined in the Resource Conservation and Recovery Act, under United States Code, title 42, section 6903, which is listed or has the characteristics identified under United States Code, title 42, section 6921, not including any hazardous waste, the regulation of which has been suspended by Act of Congress.

12. POLLUTANT OR CONTAMINANT. "Pollutant or contaminant," as defined in Minnesota Statutes, Section 115B.02, subdivision 13 (1990) means any element, substance, compound, mixture, or agent, other than a hazardous substance, which after release from a facility and upon exposure of, ingestion, inhalation, or assimilation into any organism, either directly from the environment or indirectly by ingestion through food chains, will or may reasonably be anticipated to cause death, disease, behavioral abnormalities, cancer, genetic mutation, physiological malfunctions (including malfunctions in reproduction) or physical deformations, in the organisms or their offspring.

"Pollutant or contaminant" does not include natural gas, natural gas liquids, liquefied natural gas, synthetic gas usable for fuel, or mixtures of such synthetic gas and natural gas.

13. SOLID WASTE. "Solid waste," as defined in Minnesota Rules, Part 7035.0300, subpart 100 (1990) means garbage, refuse, sludge from a water supply treatment plant or air contaminant treatment facility, and other discarded waste materials and sludges, in solid, semisolid, liquid, or contained gaseous form, resulting from industrial, commercial, mining and agricultural operations, and from community activities, but does not include hazardous waste; animal waste used as fertilizer; earthen fill, boulders, rock; sewage sludge; solid or dissolved material in domestic sewage or other common pollutants in water

-5-

resources, such as silt, dissolved or suspended solids in industrial waste, water effluents or discharges which are point sources subject to permits under section 402 of the Federal Waste Pollution Control Act, as amended, dissolved materials in irrigation return flows; or source, special nuclear, or by-product material as defined by The Atomic Energy Act of 1954, as amended.

14. RELEASE. "Release," as defined in Minnesota Statutes, Section 115B.02, subdivision 15 (1990) means any spilling, leaking, pumping, pouring, emitting, emptying, discharging, injecting, escaping, leaching, dumping, or disposing into the environment which occurred at a point in time or which continues to occur.

"Release" does not include:

(a) Emissions from the engine exhaust of a motor vehicle, rolling stock, aircraft, watercraft, or pipeline pumping station engine;

(b) Release of source, by-product, or special nuclear material from a nuclear incident, as those terms are defined in The Atomic Energy Act of 1954, under United States Code, title 42, section 2014, if the release is subject to requirements with respect to financial protection established by the federal nuclear regulatory commission under United States Code, title 42, section 2210.

(c) Release of source, by-product or special nuclear material from any processing site designated pursuant to the Uranium Mill Tailing Radiation Control Act of 1978, under United States Code, title 42, section 7912(a) or 7942(a); or

(d) Any release resulting from the application of fertilizer or agricultural or silvicultural chemicals, or disposal of empties pesticide containers or residues from a pesticide as defined in section 18A.21, subdivision 25.